

**Illinois Department of Revenue
Regulations**

Title 86 Part 535 Section 535.101 Purpose of the Program

TITLE 86: REVENUE

**PART 535
NURSING HOME GRANT ASSISTANCE ACT**

Section 535.101 Purpose of the Program

- a) The Nursing Home Grant Assistance Act (P.A. 87-863, effective July 9, 1992) [305 ILCS 40/1 et seq.] ("the Act") is a remedial statute. The purpose of the Act is to provide for individuals in need of financial support and who reside in a skilled nursing or intermediate long term care facility that is licensed by the Illinois Department of Public Health under the Nursing Home Care Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4151-101, et seq.) [210 ILCS 45/1-101]], after June 30, 1992 and before July 1, 1993, *whose nursing home care is not paid for, in whole or in part, by a federal, State, or combined federal-State medical care program (other than Medicare Part B benefits), and whose annual adjusted gross income, after subtracting the amount of payments for nursing home care expenses, does not exceed 250% of the federal poverty guidelines for an individual as published annually by the U.S. Department of Health and Human Services for purposes of determining Medicaid eligibility*, to receive financial assistance in the form of Nursing Home Grant Assistance grant payments distributed to them by the skilled nursing or intermediate long term care facility in which such individuals reside. (Section 5 of the Act)

- b) The Department is empowered by Section 40 of the Act to adopt necessary rules to implement this Act, and to use its emergency rulemaking authority to adopt initial rules. Under Section 20(b)(1) of the Act it is necessary to use the Nursing Home Grant Assistance Fund to disburse moneys for payment of grants to eligible individuals under the Act. Under Section 25 of the Act it is necessary to make such payments of grants to eligible individuals through the skilled nursing or intermediate long term care facility in which such individuals reside. Under Section 20 of the Act, within 10 days after receipt by the State Comptroller of the disbursement certification made by the Department, the State Comptroller shall cause warrants to be drawn for the respective amounts in accordance with the directions contained in that certification. To assure that eligible individuals receive the grant payments made to them through the skilled nursing or intermediate long term care facilities in which such individuals reside, the Department is empowered under Section 35 of the Act to impose penalties upon, and take action to collect such penalties against, these facilities for their failure to file the certifications required by the Act, to pay the fees due under the Act, and to distribute the grants to the individuals to whom payment is made.

